

"THE DISUNION PLEDGE."

In the first article we wrote under this caption, we commenced an examination of the positions assumed by the Editor of the Cincinnati Herald in his comments upon the pledge. The clauses which he discussed in his first two articles we examined at length, promising to give further attention to the subject at some other time, as we had not then been able to procure a copy of the Herald which contained his concluding remarks.—We have it now before us, but must say that its ambiguity and sophistry have made its perusal far from satisfactory. In the 5th No. of the Bugle we showed that the provisions in the U. S. Constitution in relation to the foreign slave trade, and that determining the ratio of representation were pro-slavery when adopted, were designed to be pro-slavery, and are pro-slavery now; and that even if there were no other objectionable parts, that no consistent abolitionist can swear to maintain a Constitution which requires the support of such provisions, or appoint another to swear so to do.

The next clause we shall examine is the following:—

"No person held to service or labor in one State under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up, on claim of the party to whom such service or labor may be due."

The Editor of the Herald admits that this clause was designed to apply, and is applicable to the case of the slaves, but then as it relates to the responsibilities of the several states, and not to the duty of officers under the Constitution of the U. S. he is not able to see that a promise to support the Constitution, does in this particular involve a support of slavery. He denies that it imposes any duty upon the Representative in Congress, or upon the President. He asserts that

"It imposes a duty, but a duty upon the States, as sovereign parties, contracting with each other. It imposes no duty upon the General Government! It is simply a clause of compact between the States, by which each is bound to pass no law discharging from service or labor a person who may owe service or labor in another State."

There may perhaps be a closer connection between State responsibilities and the duty of officers of government than the Dr. is disposed to admit. We will examine this matter a little more closely. When Ohio came into the Union and became a party to the general compact, she promised by the adoption of the clause which we are considering; Firstly, that none of her laws should discharge fugitives from the service or labor they owe their masters; Secondly, that such fugitives shall be delivered up. That is Ohio's part of the contract. Suppose that she refuses to perform it, and that the Buckeyes rally around the fugitive and defy the power of the claimant; what is the result? Ohio has as much nullified a Constitutional provision, as did South Carolina when she refused to fulfill another part of the contract, and James K. Polk, or James G. Birney if he be in the Presidential chair, is as much bound to enforce obedience of Ohio, as was General Jackson of South Carolina; and the provisions which Congress has made for all such exigencies, are used by the President for this purpose. It is for this, among other things that Congress votes army appropriations, commissions officers, enlists men, casts cannon, manufactures muskets, and forges swords. If the ordinary means placed at the disposal of the President are insufficient, then must he adopt such as will ensure success, and Congress is bound by oath to furnish him with those means which will enable him to compel Ohio to "deliver up" the fugitive, as she has contracted to do in the Constitutional bond.

After considerable argument to prove that although Congress may have a right to impose a duty, it does not necessarily follow that it has a right to enforce the fulfillment of that duty—thus making the Constitution most emphatically a "no government" document, and the U. S. government more impotent than a palsied giant—he says,

"The opposite construction of the Constitution, involves the principle, that the creation of a right or the imposition of a duty by the Constitution, necessarily implies a power in Congress to fulfill the one and secure the other. If this be a sound principle, Congress has power to abolish slavery in all the States—for, Article fifth of Amendments declares, that 'no person shall be deprived of life, liberty or property without due process of law.' Here is a right conferred or rather declared by the Constitution; Congress is bound to make it effectual; but, if it does, what becomes of slavery which, in stripping men of their rights, has never even pretended to 'due process of law.'"

Does the Editor mean to have his readers understand from this, that although the Constitution declares that "no person shall be deprived of life, liberty or property without due process of law," it is powerless to protect the life, liberty, and property of those to whom that provision refers? We can

make nothing else out of it, and we must say that such position appears to us as the very acme of absurdity, coming too, as it does, from one whose party contends that a faithful administration of the government, a carrying out of the principles of the Constitution would overthrow slavery. One word as we pass, in regard to "due process of law." That may rightfully be regarded as due process of law, which is according to law. Process of law is varied by the circumstances of the case. A man who swindles you out of a thousand dollars cannot be arrested without a warrant. The due process of law by which he is deprived of liberty, is very different from that by which you deprive of liberty the assassin who attacks your life, or the robber who is breaking into your house. So in relation to the child of a slave mother. The process of law by which he is forever deprived of his legal right to liberty is a much more summary one, than that which bolts and bars the prison door upon the offspring of a free woman.—Besides, the Constitution does not assure the citizens of the several states, that the local governments shall not deprive them of life, liberty, or property "without due process of law," but simply limits the power of the general government in relation to this matter.

We have said the language of the Editor is ambiguous, and we repeat it. He first admits that the clause in relation to fugitives from labor is applicable to the slaves; then asserts that he holds to a strict construction of the Constitution & maintains that every one must construe it for himself; admits that the law of '93 is an attempt to carry out the provision referred to, but contends that the decision of the Supreme Court in the Prigg case which declared that this provision of the Constitution executes itself—that it needed no auxiliary law, is not in accordance with the principles of just interpretation, and is adverse to his view of the subject; and on behalf of himself and those with whom he stands politically connected, declares "as a party, we question the soundness of that decision, and assume that it is not final." Had the decision been favorable to his understanding of the clause, and the slave claimant have said "we question the soundness of that decision, and assume that it is not final;" it is not unlikely he would have told them what we now tell him:—"You agreed to submit this, and all other Constitutional questions to the arbitration of the Supreme Court, promising to abide by its decision; and you are bound to sustain and regard it as final." The Dr. and his friends, perhaps may, as did Granville Sharpe and other English abolitionists, bring public sentiment so to bear upon the Judiciary, that its decision shall be reversed, but until then, that decision is the constitutional law of the land, and as such they must sustain it, if they are true to the obligations of citizenship. There is however a wide difference between the case of Granville Sharpe in the English courts, and Gamaliel Bailey in the American courts. The Constitution of the British people is not a contract between the individual subjects of that government, which each and all of the contracting parties is bound to maintain; the Constitution of this country is such a contract. It was therefore perfectly right for the British abolitionists to endeavor to compel that government faithfully to test the practice of its subjects by the principles which the few had declared should govern their conduct toward the many; and it is as clearly wrong for American abolitionists to endeavor by a decision of the Supreme court to alter the meaning of a contract, or to place any other construction upon its language than that which it was understood to convey by the contracting parties at the time the agreement was made. A contract may not be violated or impaired; if the contracting parties consent to have it altered, it then becomes a new contract. The U. S. Constitution being a pro-slavery compact, he who strives to make it bear an anti-slavery construction, if he knows what the framers and adopters of it designed it should be, acts in bad faith, and is dishonest.

The assertion of the Herald that the President and Congressmen must determine their official course by their own understanding of the Constitution, is true in a very limited sense. Those parts of it upon which there has been, and can be no controversy, such for instance, as that each state shall have two, and but two Senators, every officer may support as he understands it, for it can be understood in but one way. But does Dr. Bailey pretend to say that the decisions of the Supreme Court upon the parts submitted to it, are not binding upon the official course of the U. S. officers? We think he will hardly be so false to truth, and so insulting to common sense as to make the assertion. His talk about indicting the President, and displacing the Congressmen when they act in conformity with their ideas of the requirements of the Constitution, but in opposition to the ideas of something else, does not by

any means prove that these officers are not bound to support the Constitution as the Supreme Court interprets it, and 'tis but little consolation to know you may punish a man for doing the wrong, especially when you have previously told him that his ideas of legal right are to be his guide. The conclusion of this part of the Herald's article is as follows:

"If the Representative, therefore, is not bound by this provision of the Constitution to do any act whatever—and this is our position—then the President is not bound; for he can be under no obligation to give his assent to a law, which is extra-constitutional."

The extra-constitutional law which the Editor refers to, is the law of '93. He admits that the clause in relation to fugitives from labor is applicable to the case of the slaves, and this law only prescribes the way in which they are to be reclaimed. It may be unnecessary, we think it is, but to assert that it is unconstitutional is as absurd as to deny that the clause upon which it is based is applicable to slaves, which we have known some Liberty party men do; for if the Constitution gives Virginia a right to reclaim fugitives from labor, then is a law which simply prescribes the manner in which they may be reclaimed constitutional. Those however who think the Dr. right must stand by him and fall with him; but instead of calling him the strict constructionist which he claims to be, we regard him as an exceedingly loose constructionist. We intend to resume this subject next week, and examine the remaining clause referred to in the Disunion Pledge.

JOHN B. GOUGH.—It will be seen by the intelligence in another column that this once eminent advocate of Temperance, has turned aside from the narrow path; whether through his own weakness, or by the deep laid design of others does not appear. Thank God the Temperance cause is founded upon a principle that cannot be shaken; a principle that will be ever true, though all men prove false. Whether our brother signed in weakness, or unwittingly fell into a pit that was dug for him, our fervent wishes are, that he may be re-baptized, and endowed with vigor to labor anew in the cause of Temperance.

TEXAS.

The admission of the "Lone Star" into our boasted galaxy, has been anything but the precursor of peace. If we have not war, yet "rumors of war" prevail throughout the land, and are greedily seized upon by the speculators in stocks and politics, and are used by them for the accumulation of wealth, or the acquisition of political power, as their taste or need may make desirable. They furnish a capital subject upon which 3rd rate orators can make stump speeches, or electricity ward meetings of the "unwashed Democracy." Men who are brim full of poetry and patriotism, talk largely about "revelling in the halls of the Montezumas," anticipate with great gusto the plundering of Mexican churches, calculate to a fraction the value of the "little golden Jesuses," and discuss the quality of the "diamond eyes of the Virgin Marys." The editors, too, have found this subject a god-send, and their brains give forth paragraphs of less pith than pathos; argumentative or speculative as they may feel in the mood. Army contractors are reaping a golden harvest, and men who lined their pockets during the Florida war, are expecting to give them a second and heavier lining by means of the Texas campaign. The faithful are coming forward to renew their oaths of allegiance; and those who have been considered doubtful, to make assuring profession. Even the little Magician, whose spell was broken by his incautious Anti-Texas declaration, has repented, and is now engaged in bringing forth fruits meet for repentance, by recommending all good Democrats to stand by their country in the present emergency.

The most authentic information we have received recently from various sources, we here present to our readers.

"There is no probability that Mexico will declare war."

"A declaration of war from Mexico is daily expected."

"Mexico has declared war against the United States."

"Mexico has not declared war against this country."

"The Mexicans are marching in great force toward the Texan borders."

"The Mexican army is very small, and great difficulty is experienced in keeping it together."

"General Taylor and the force under his command, have been cut off by the Mexican troops."

"The report of General Taylor's capture is authentically contradicted."

In addition to the many flying rumors, we have before us an article from the "Union," which bears on stamped upon its front the imposing word "OFFICIAL." By this we re-

ceive the gratifying intelligence that our Dragons in the South are in excellent health and spirits, that both horses and riders had plenty to eat and drink on their route there, and are in good fighting condition; that General Arista, the Mexican commander cannot get together more than 2,000 troops at any available point, and that the presence of the U. S. army in Texas has prevented Mexico from attempting to regain possession of her stolen province; and we further are officially informed that General Taylor has an eye on the Camanches, who he suspects have an eye on his troops; and we are unofficially informed, that Mexico is striving to stir up the slaves of Texas to insurrection.

The true and false so nicely do they blend,
Mixing up poetry, humbug and glory;
That none can tell where Truth's narrations end,
And Falsehood's babbling tongue resumes the story.

LIBERTY PARTY CONVENTION AT DOVER, CUYAHOGA COUNTY.

"Resolved, That the Declaration of Independence is the creed of the Liberty Party, and that being a solemn recognition of the Liberty and Equality of all men, and that the rights of liberty and happiness are inalienable, was the corner stone of our confederacy; it is therefore above all Constitutions and all Laws."

"On motion it was unanimously adopted."

We might infer from the above, that Liberty Party in Dover is ready to repudiate the United States Constitution. If they have adopted the Declaration of Independence as their creed; if they believe it to be above all Constitutions and Laws, of course they must discard every thing which contravenes its principles. Now the Declaration, and the Constitution are no more like each other, than Liberty and Despotism; no more alike than the largest benevolence, and the most unmitigated cruelty. One is a document which recognises the liberty of all men, as an inalienable right; the other recognises the enslavement of a part of the people, and provides for the perpetuity of a system which takes away not only the right of a man to his liberty, but every other right with which a kind and merciful Father has endowed him. The principles of the Declaration would break every yoke to day, and let the oppressed go free; the principles of the Constitution would re-establish slavery to-morrow; and the terrible enigma of the government which is based upon it, would forge new manacles and chains for the disenfranchised millions. The Declaration makes every man a free man, even though he inhabits a southern plantation, the Constitution forbids the recognition of the slave's freedom, even though he be at our own firesides in the north.

It is evident then, that as the Declaration and the Constitution are so directly antagonistic to each other, if we stand by the former we cannot swear to support the latter.—We hope therefore that Liberty Party in Dover will be consistent, and adhere to its professed principles; its adopted creed.

TO SUBSCRIBERS.

Complaint has been made by some that their papers are not regularly received. We would say to friends Wiggeon and Phillips at Mount Union that their have been sent every week with the package that goes to that place, and if they do not receive them it is no fault of ours. We have however sent the back No's. as requested. David Taylor's paper has been regularly sent to Danamsville as directed. Occasionally we are censured for not sending the paper to some friend whose name we have never received. Some one took it, probably, who failed to forward it to us.

All persons whose names are on our books may rest assured, if they do not receive their papers, that it is not chargeable to any carelessness of ours, but to some other cause; perhaps the remissness of Post Masters; perhaps the fault of the subscriber in not giving the name of his Post Office.

TO CORRESPONDENTS.

We have a number of communications on hand, most of which we design to insert as soon as we can find room to spare. Our correspondents must bear in mind that our sheet is but a small one, and they should have an eye to brevity when writing for it. A friend has sent us an article on Infidelity, which we think is not suited to the columns of an anti-slavery paper. The infidelity we oppose, is that infidelity to God and his truth which the slaveholders and their abettors practically maintain; the infidelity we advocate, is infidelity to a pro-slavery priesthood and religion. With other infidelity, we have nothing to do upon the anti-slavery platform, neither to oppose or defend, and therefore must decline inserting communications upon that subject, either from its friends or foes.

A colored temperance convention has been held at Hudson N. Y. Three thousand members were present, and the proceedings were conducted with great decorum. The next convention will be held in July, 1846.

ARRIVAL OF THE GREAT WESTERN.

FOUR DAYS LATER FROM EUROPE.

The Steamship Great Western left Liverpool, Aug. 23, and arrived at New York Monday evening, Sept. 2, in 17 1/2 days. She brings 145 passengers, and among them flow Mr. Jenifer U. S. Minister to Austria and his Attache, and other distinguished individuals.

Affairs in France appear to be quiet.

There has been a very serious religious riot in Leipzig.

The Jesuits cause their share of trouble in Europe.

Advices in Switzerland state affairs in that unhappy country are now near a crisis. It will be hastened by the dispersion of the Diet.

Railway accidents have become in England what steamboat explosions in the United States have long been—too common.

The weather continued unfavorable in England.

The Spanish and Portuguese Slave Traders recently convicted at Exeter, of murder, have been respited till the 5th of September, in order that certain legal points, raised by their counsel may be argued before the Judges.

A fire of a very destructive character, involving the loss of property to the amount of several thousand pounds, occurred at Albremanbury, the well known nucleus of Lancashire warehousemen in the city of London, Aug. 18th.

In the cotton market the rates of the preceding week are barely realized, and some descriptions are dull of sale and a point lower.

Paris and its vicinity were visited on the 18th of August by a tremendous hurricane, which broke or tore up by the roots trees of large dimensions, and did other extensive damage. At Rouen a large factory was blown down and two hundred persons were said to have been killed and wounded.

Queen Victoria's rambles on the continent continue.

The Overland mail arrived on the 21st ult.

The Cholera was sweeping over Western India and hurrying its victims to their last account. At Lahore the mortality was dreadful—bordering on 30,000!

From China there is nothing new.

RIOTS IN PHILADELPHIA.—The correspondent of the New York Tribune, dated the 13th inst., says—there was more rioting among the Southwark and Moyamensing firemen last night—great excitement prevailed in the two districts. About 6 o'clock the carriage of the Hope Engine Company was attacked, taken from the members, some of whom were badly beaten, and broken to pieces. It was afterwards thrown into the Schuylkill Canal. Several arrests were made. We are under evil times. 1 fear trouble.

SLAVERY AND THE NEW HAMPSHIRE ASSOCIATION.—The General Association of Congregational and Presbyterian Ministers in N Hampshire, at their recent Convention in Portsmouth, adopted a series of resolutions, which took strong ground against slavery. They "protest against all participation in a system fraught with such bitter and unmingled evils, both moral and social, to mankind." The action of the convention was taken in consequence of the pro-slavery character of the resolutions adopted by the General Assembly of the Presbyterian Church in Cincinnati.

An oath against duelling has been inserted in the Constitution being framed for the State of Texas.

DR. HEDGON, who was committed to jail in Springfield, on the complaint of Mr. Hodgson's servant for false arrest, has been released on bail, Mr. Williston being one of his bondsmen. The suit is brought in the Court of Common Pleas, in Boston, which is to be holden on the 1st of October.

ANTI-SLAVERY MEETINGS.

S. S. Foster of N. H. and Abby Kelley of Mass. will hold meetings at the following places:

Xenia, Green Co., Tuesday, Wednesday, Thursday, Sept. 30th, October 1, 2d.

Green Plain, Clark Co., Friday, Saturday and Sunday, Oct. 3, 4, 5th.

Anti Slavery Publications.

J. ELIZABETH HITCHCOCK has just received and has now for sale at her boarding house, Sarah Galbreath's, west end of High st., the

FOLLOWING PUBLICATIONS:
THE CONSTITUTION A PRO-SLAVERY COMPACT, OR SELECTIONS FROM THE MADISON PAPERS.

This work contains the discussions on the subject of Slavery in the Convention that framed the Constitution. Those who wish to know the character of that instrument and the design of those who framed it, would do well to examine the Madison Papers. Price, 25 cents.

THE BROTHERHOOD OF THIEVES, OR A TRUE PICTURE OF THE AMERICAN CHURCH AND CLERGY, by S. S. Foster.

A dark and loathsome, but true picture.—Price 12 1/2 cents.

COME OUTERISM, OR THE DUTY OF SECESSION FROM A CORRUPT CHURCH, by Wm. Goodell.

The arguments are unanswerable. Price 8 cents.

THE AMERICAN CHURCH THE BULWARKS OF AMERICAN SLAVERY, by James G. Birney.

Facts indisputable; sufficient to condemn all of his party who remain in pro-slavery churches.—Price 12 1/2 cents.

"GARRISON'S POEMS," a neat little volume.—Price 31 cents.

"ARCHY MOORE, OR THE MEMOIR OF A SLAVE," by Richard R. Hildreth.

One of the most beautifully written works that has ever been issued from the anti-slavery press.—Price 30 cents.

"THE OFFERING," a collection of anti-slavery pieces in prose & verse.—Price 31 cents.

"VOICES OF THE TRUE HEARTED" From No. 1 to 6 inclusive, a beautiful and cheap periodical of a reformatory character, 37 1/2 cents the set.

PORTRAIT OF LUCRETIA MOTT, a beautifully executed, and correct likeness.—37 1/2 cents.

CHANNING'S LAST ADDRESS, 4 etc.